

COUNCIL CHAMBERS--CITY COUNCIL
CITY HALL--CITY OF LODI
Monday, October 21, 1935.

The City Council of the City of Lodi met in regular session at 8 o'clock P.M. Councilmen Clark, Graffigna, Spooner, Weihe and Steele present, none absent.

The minutes of the regular meeting of October 7 were read, approved as read and so **endorsed** by the Mayor.

Mr. Don Williams addressed the Councilman in application for the passage of an Ordinance licensing a so-called vending machine. No action was taken.

The Clerk read a letter from O. A. Shroyer, protesting against a fig tree located on the Southeast corner of Church Street and Louie Ave. At the order of the Mayor it was referred to the Committee of Streets and Highways.

Quarterly reports of the Treasurer and the City Clerk for the quarter ending September 30th, 1935, were received, read and ordered filed.

The Clerk reported that he was in receipt of an offer from the Federal Government, as a substitute for the present Loan and Grant Agreement.

After some discussion regarding the parking of trucks along various streets in the City the Mayor ordered Ordinance 209, which was introduced on June 3, 1935 but never adopted, to be referred to the Committee of Streets and Highways with the instructions that they contact the Lodi Business Men's Association and endeavor to obtain some settlement of the problem.

Ordinance 214 entitled "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF THE "SPECIAL GASOLINE TAX STREET IMPROVEMENT FUND" AND REQUIRING THAT ALL MONEYS RECEIVED UNDER THE PROVISIONS OF ARTICLE 5 CHAPTER 1, DIVISION 1 OF THE STREETS AND HIGHWAYS CODE SHALL BE DEPOSITED THEREIN AND EXPENDED THEREFROM. was introduced on motion of Councilman Weihe, Graffigna second, read at length by the clerk and considered by the Council. By the same motion this Ordinance was laid over for the statutory period of not exceeding five (5) days.

After a discussion of a proposed agreement terminating the Loan and Grant Agreement, dated as of July 17, 1935 with the United States of America, the following resolution No. 809 and entitled "A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT TERMINATING THE LOAN AND GRANT AGREEMENT DATED AS OF JULY 17, 1935, WITH THE UNITED STATES OF AMERICA" was proposed by Councilman Spooner and read in full.

RESOLUTION NO. 809

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT TERMINATING THE LOAN AND GRANT AGREEMENT DATED AS OF JULY 17, 1935, WITH THE UNITED STATES OF AMERICA.

Be it resolved by the City Council of the City of Lodi

Section 1. That Agreement terminating the Loan and Grant Agreement dated as of July 17, 1935, with the United States of America and the City of Lodi (San Joaquin County California), a copy of which Agreement reads as follows:

AGREEMENT dated as of October 21, 1935 terminating the LOAN AND GRANT AGREEMENT dated as of July 17, 1935, between the CITY OF LODI, SAN JOAQUIN COUNTY, CALIFORNIA (herein called the "City") and the UNITED STATES OF AMERICA (herein called the "Government").

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WHEREAS, a Loan and Grant Agreement was entered into by and between the City and the Government dated as of July 17, 1935; and

WHEREAS, it is to the mutual advantage of the City and the Government to terminate said Loan and Grant Agreement:

NOW, THEREFORE, IT IS HEREBY AGREED by and between the City and the Government that the said Loan and Grant Agreement, dated as of July 17, 1935, be and the same hereby is terminated.

CITY OF LODI

By G. M. STEELE
Mayor of the City of Lodi, California

SEAL:
ATTEST:

J. F. BLAKELY
City Clerk of the City of Lodi.

UNITED STATES OF AMERICA
Federal Emergency Administrator of
Public Works

Docket No. 5731.

By HORATIO B. HACKETT
Assistant Administrator

be and the same is hereby in all respects approved and the Mayor is authorized to execute the same on behalf of the said City of Lodi and the City Clerk is authorized to attest the signature of the Mayor and to affix the seal of said City to said Agreement.

The above resolution was seconded by Councilman Weihe and was adopted, with the following voting aye: Councilmen Spooner, Weihe, Clark, Graffigna and Steele, and the following voting nay: Councilmen, None.

The Mayor thereupon declared said Resolution carried and the Mayor thereupon signed said Resolution in approval thereof.

A petition was received signed by numerous residents of the vicinity of a county wood yard located on the corner of Lee Ave., and Lodi Ave., asking that the same be removed or abated as a nuisance. On motion of Councilman Spooner, seconded by Councilman Clark, the Clerk was instructed to make the necessary arrangements to have this wood yard moved to a more suitable locality.

Building permits, applications No. 1343 to 1350 inclusive were ordered granted. Application No. 1351 from W. H. Thompson for permission to erect a stucco building within the fire limits, was ordered referred to the applicant as not conforming to the regulations applying to buildings in that territory. On motion of Councilman Clark and seconded by Councilman Weihe, claims in the amount of \$3,968.71 as approved by the Finance Committee were allowed and ordered paid.

Mr. John A. Henning addressed the Council in regard to an electric rate suitable to apply to consumers of off-peak current and particularly for those contemplating installation of metal melting furnaces. He was instructed to consult with the City Attorney in regard to amending existing Ordinances to take care of this feature.

City Attorney Glenn West was authorized to exercise the option granted by Stephen E. Keefer for the purchase of a parcel of land in the area to be flooded by the construction of the City's contemplated power dam on the Mokelumne River. This was done by the adoption of Resolution 810.

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RESOLUTION NO. 810

WHEREAS, an option agreement was made and entered into by and between Stephen E. Kieffer and Renee M. Kieffer, his wife, and Glenn West, wherein the said Glenn West was given the right to purchase certain lands situate in, on and along the Mokelumne River together with certain water rights and flowage rights appertaining to said lands on the payment of the total sum of Two Thousand Dollars, (\$2,000.00) on or before sixty days from the 27th day of August, 1935, said date being that of the execution of the said option agreement;

AND, WHEREAS, on the 10th day of September, the said Glenn West did transfer and sign over to this City all his right, title and interest in and to said option agreement;

AND WHEREAS, said lands and the water rights appertaining to or connected therewith are essentially necessary to the City of Lodi in the construction of its hydro-electric power plant on the Mokelumne River;

AND, WHEREAS, the right to purchase said lands under said option agreement are about to expire by the time limitation set forth in said option agreement;

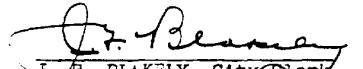
NOW, THEREFORE, BE IT RESOLVED, that the said Glenn West, as City Attorney of the City of Lodi and as representing this City and the people thereof be, and he is hereby authorized and directed, for and on behalf of this City Council and as its agent and not otherwise, to pay over to the said Stephen E. Kieffer and Renee M. Kieffer, his wife, such sums of money, not in excess of Two Thousand Dollars as may be necessary to secure a good and sufficient title to the said lands and appertaining rights or to secure an extension of said option agreement for such period and length of time as may be necessary to have said title perfected or to enter into a lease-purchase contract for said lands and rights whereby any sums paid for and on behalf of this City will be credited upon the purchase price of said lands;

BE IT FURTHER RESOLVED, that the Mayor be, and he is hereby authorized and directed to draw a warrant or warrants on the City Treasury of this City for such amounts, not in excess of the said sum of Two Thousand Dollars (\$2,000.00) as may be necessary to secure title to said lands and rights or to have said option agreement extended as to time or to make initial payments on any lease-purchase contract as may be entered into hereunder.

The foregoing Resolution No. 810 was then passed and adopted by the following vote:-

Ayes: Councilmen, Clark, Weihe, Graffigna, Spooner and Steele.
Noes: Councilmen, None.
Absent: Councilmen, None.

On Motion of Councilman Weihe, seconded by Councilman Clark and carried, the City Council adjourned to and until 8:00 o'clock P.M. of Friday, October 25, 1935.


J. F. BLAKELY, City Clerk

The foregoing minutes of a regular meeting of the City Council of the City of Lodi were read at a subsequent meeting of said Council held November 4, 1935 and approved without correction.


Mayor of the City of Lodi